

ATTACK ON ORLEANS GRAND JURY FUTILE

Judge Denies Andrews' Quash Motion

The second day of court action in the perjury case of Dean A. Andrews Jr. ended Thursday afternoon with testimony from a judge as Andrews began a futile attack on the grand jury which indicted him.

With a motion to have the district attorney's office recused from prosecution still pending, Andrews entered another motion, this one to quash his grand jury indictment, and called as a witness senior Criminal District Court Judge Bernard J. Bagert, who picked the jury.

However, after Judge Bagert testified, Judge Frank J. Shea denied Andrews' latest motion and called a recess until 9 a.m., when more witnesses are scheduled to testify on the recusal motion.

Andrews is charged with perjuring himself in grand jury testimony concerning District Attorney Jim Garrison's investigation of the assassination of President John F. Kennedy.

LAUNCHES ATTACK

Launching an attack on the method of selecting the jury, Andrews asked Judge Bagert during questioning if he picked the jury after the Labat decision.

A federal court has ruled that Edgar Labat, a New Orleans Negro who has spent more time on death row than any other convict in the United States, did not receive a fair trial because daily wage earners were excluded from the jury venire.

Judge Bagert said the selection was after the decision and that the process was changed to conform to the court ruling.

"I did not exclude anyone as wage earners. The problem was to get 12 men who were not reluctant jurors. I interviewed 60 people," he said.

Judge Bagert said he wanted to avoid the problem of the jury's not having a quorum, and noted that the jury has one wage earner.

"He is a teacher nine months of the year, and the other three months he is a bricklayer. I understand he makes more money laying bricks than he does teaching," he said.

When the hearing on the recusal motion resumes Friday

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ANDREWS ATTACK IS FUTILE

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Dr. Nicholas J. Chetta, Orleans Parish coroner; Dr. Esmond Fatter and Perry Raymond Russo are scheduled to testify. Judge Shea said he expects to end the hearing Friday and begin selecting a five-man jury to try Andrews.

POLICEMEN TESTIFY

Earlier Thursday the court heard testimony on the recusal motion from two policemen and a godson of the late David W. Ferrie.

Ferrie was a key figure in Garrison's investigation at the time of his death Feb. 22.

Andrews asked the godson, Morris Brownlee, 4738 Jefferson hwy., about an arrest of Brownlee in October of 1966.

Andrews asked Brownlee if anyone in the district attorney's office asked him about Ferrie.

Assistant District Attorney James L. Alcock objected to Andrews' questions, and Judge Shea said Andrews would have to show that the questions were relevant.

After a recess in which Andrews attempted to explain the relevance to the judge, Andrews said he had no further questions but held Brownlee under subpoena for Friday.

Before Brownlee took the stand Patrolmen John J. Tobin and Warren Armond testified concerning the arrest Sept. 19, 1966, of a man identified as Manuel Garcia Gonzales.

Andrews claimed in the past that he made up the Gonzales name after conversations with the district attorney concerning an alleged assassination plot.

At one point the district attorney's office was searching for such a man in the Miami area.

Tobin identified one of two arrest cards on a Manuel Gonzales. He testified that he "did apprehend a subject whose name is listed as Manuel C. Gonzales." The arrest was made in Vie's Bar, 1107 Decatur, for carrying a concealed weapon, he said.

Armond, Tobin's partner at the time, corroborated Tobin's description of the man, and like Tobin, said that Gonzales spoke broken English.

Before the hearing resumed

in a cheerful mood. He said he "slept like a log" from 10:30 p.m. Wednesday until 8:30 a.m. Thursday after 12 hours of grueling questioning, most of which he conducted.

Wednesday Andrews ate lunch at the Parish Prison at the invitation of the warden.

"Now, if the bed is as good as the food, we're in business," he quipped after the meal.

Andrews' trial, the first from Garrison's investigation of the Kennedy assassination, will deal with Garrison's allegation that Andrews lied when he said he could not identify conspiracy defendant Clay L. Shaw as Clay Bertrand.

Andrews testified to the Warren Commission that, shortly after the assassination, a man named Clay Bertrand called him and asked him to defend Lee Harvey Oswald, accused assassin.